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6

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION
10

11 UNITED STATES OF AMERICA,)	No. CR 11-00580 EJD
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING HEARING TO
13 vs.)	FEBRUARY 13, 2012, AND EXCLUDING
)	TIME UNDER THE SPEEDY TRIAL ACT
14 SALVADOR ARREDONDO IBANEZ,)	
)	
15 Defendant.)	
)	

17 **STIPULATION**

18 The parties, Salvador Arredondo-Ibanez and the government, acting through their
19 respective counsel, hereby stipulate, subject to the Court's approval, that the status hearing date
20 currently set for January 9, 2012, be vacated and continued to February 13, 2012, at 1:30 p.m.

21 The reason for the requested continuance is defense counsel requires additional time to
22 research and investigate an issue relevant to a proposed disposition, and to subsequently confer
23 with Mr. Arredondo-Ibanez about defense counsel's findings.

24 Accordingly, the parties agree and stipulate that time should be excluded from January 9,
25 2012, through and including February 13, 2012, under the Speedy Trial Act, 18 U.S.C. §
26 3161(h)(7)(A) and (B)(iv), for effective preparation and defense investigation. Accordingly, Mr.

Arredondo-Ibanez and the government agree that granting the requested exclusion of time will serve the interest of justice and the ends of justice outweigh the interest of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

Dated: January 4, 2012

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender

Dated: January 4, 2012

_____/s/_____
CAROLYNE A. SANIN
Special Assistant United States Attorney

~~Proposed~~ **ORDER**

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY ORDERED that the status hearing currently set for January 9, 2012, shall be continued to February 13, 2012, at 1:30 p.m.

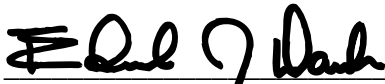
THE COURT FINDS that failing to exclude the time between January 9, 2012, and February 13, 2012, would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

THE COURT FURTHER FINDS that the ends of justice served by excluding the time between January 9, 2012, and February 13, 2012, from computation under the Speedy Trial Act outweigh the interests of the public and the defendant in a speedy trial.

THEREFORE, IT IS HEREBY ORDERED that the time between January 9, 2012, and February 13, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: January 6, 2012



THE HONORABLE EDWARD J. DAVILA
United States District Judge